

Remarks

Applicant respectfully request reconsideration of this application as amended. No claims have been amended. No claims have been cancelled. Therefore, claims 1, 3-15 and 17-42 are presented for examination.

Claims 8, 29 and 41 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant submits that claims 8, 29 and 41 are in proper condition for allowance. Particularly, applicant submits that one of ordinary skill in the art will recognize that **Secure Sockets Layer (SSL)** is a cryptographic protocol that provides security and data integrity for communications over networks such as the Internet.

Claims 1, 3-8, 10-12, 15, 17-29 and 31-41 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kiessling et al., U.S. Patent No. 6,901,251 (“Kiessling”) in view of Proust et al., U.S. Patent No. 6,216,014 (“Proust”). Applicant submits that the present claims are patentable over Kiessling in view of Proust.

Kiessling discloses a mobile telephone capable of serving an external application, which is located in a remote device. Such an external application will communicate with the mobile telephone over a wireless link (i.e., radio, short-range supplementary data or infrared). The user will interact with the external application through the man-machine interface of the mobile telephone. See Kiessling at col. 5, ll. 32-40. The mobile telephone includes a controller, an operating system a local storage device for storing a first application, a secure resource that is only accessible from the operation system and a wireless interface for connecting the mobile telephone to the remote device (col. 1, ll. 15-21 and col. 4, ll. 15-18).

Proust discloses a data storage having a plurality of files. Each of these files is associated with a standard access control policy. This is defined by a plurality of standard access conditions (AC standard), each applying to a separate command that can access this file. See Proust at col. 11, ll. 14-18.

Claim 1 of the present application recites a controller to establish a wireless communication link between the wireless communication module and a first remote device upon a determination that services offered by the first remote device are relevant and to grant access rights to the public storage area and the private storage area based on a classification of the first remote device.

Applicant submits that neither Kiessling nor Proust disclose or suggest a controller establishing a wireless communication link with a first remote device based upon a determination that services offered by a remote device are relevant. The Office Action asserts that Kiessling at col. 5, ll. 17-40 discloses such a process. See Office Action at Page 4, lines 7-11. Applicant respectfully disagrees.

The relied upon passage of Kiessling discloses:

The protocol structure described above is capable of serving a plurality of applications, which are executed in different environments inside and outside the mobile telephone 1. Consequently, a first application 26 may communicate directly with the transport layer 37 and the man-machine interface 21. The application 26 is preferably stored in the memory 24 and is executed by the central processing unit 23 under the operating system 25. Additionally, a second application 27 may communicate with the WAP layer 38 or the security layer 39 and the man-machine interface 21. Correspondingly, the application 27 may be stored in the memory 24 and be executed by the central processing unit 23 under the operating system 25. Alternatively, the applications 26 and/or 27 may be stored in the SIM-card 33 or the trusted module 29.

The mobile telephone 1 is also capable of serving an external application 28, which is located in a remote device. Such a remote device may e.g. be any of the devices 11, 12,

13, 15, 17, 18 or 20 indicated in FIG. 1. Such an external application 28 will communicate with the mobile telephone 1 over any of the wireless links 9, 14, 16, or 19 (i.e., radio, short-range supplementary data or infrared). The user will interact with the external application 28 through the man-machine interface 21 of the mobile telephone 21.

Kiessling at col. 5, ll. 17-40

Applicant submits that nowhere in the above passage is there disclosed, or reasonably suggested, a controller establishing a wireless communication link with a remote device based *upon a determination that services offered by a first remote device are relevant.*

Moreover, applicant submits that Kiessling and Proust also fail to disclose or suggest the controller granting access rights to a public storage area and a private storage area based on a classification of a first remote device. The Office Action asserts that Proust discloses that selected remote devices exchange data in restricted manner. See Office Action at Page 4, lines 11-17. Notwithstanding the Examiner's assertion, there is no disclosure of a process of *granting access rights to a public storage area and a private storage area based on a classification of a first remote device.*

Since neither Kiessling nor Proust disclose or suggest a controller to establish a wireless communication link between the wireless communication module and a first remote device upon a determination that services offered by the first remote device are relevant and to grant access rights to the public storage area and the private storage area based on a classification of the first remote device, any combination of Kiessling and Proust would disclose or suggest such a feature. As a result, claim 1 and its dependent claims are patentable over Kiessling in view of Proust.

Independent claims 15, 21 and 33 recite limitations similar to those in claim 1. Thus, claims 15, 21 and 33, and their respective dependent claims, are patentable over Kiessling in view of Proust for the reasons discussed above with respect to claim 1

Claims 9, 13 and 42 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kiessling in view of Fifield, U.S. Patent No. 6,744,752 ("Fifield"). Claims 14, 16 and 34 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kiessling in view of well-known prior art. Applicant submits that the present claims are patentable over any combination of Kiessling and Fifield since such combination would fail to disclose or suggest a controller to establish a wireless communication link between the wireless communication module and a first remote device upon a determination that services offered by the first remote device are relevant and to grant access rights to the public storage area and the private storage area based on a classification of the first remote device.

Applicant submits that the rejections have been overcome and that the claims are in condition for allowance. Accordingly, applicant respectfully requests the rejections be withdrawn and the claims be allowed.

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP



Date: 6/2/09

Mark L. Watson
Reg. No. 46,322

1279 Oakmead Parkway
Sunnyvale, California 94085-4040
(303) 740-1980